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Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
(SAN FRANCISCO DIVISION)**

IN RE: BEXTRA AND CELEBREX) MDL CASE NO.: 05-CV-1699
MARKETING SALES PRACTICES AND)
PRODUCT LIABILITY LITIGATION)

ACQUAROLE, et al.,) CASE NO. CGC-06-449463
) MDL Case No. 06-2392 CRB

Plaintiffs,) **STIPULATION AND ORDER OF**
vs.) **DISMISSAL WITH PREJUDICE**
) **AS TO PLAINTIFF ALFRED ALOISE**

PEIZER, INC., et al. 1

Defendants.)

COME NOW, Plaintiff ALFRED ALOISE and Defendants PFIZER, INC., et al., by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and

**STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE
AS TO PLAINTIFF ALFRED ALOISE**

1 hereby stipulate to the dismissal of Plaintiff ALFRED ALOISE from this action, with prejudice,
2 each side bearing its own attorney's fees and costs.

3
4 Respectfully submitted,

5 Dated: September 24, 2009

6 **KABATECK BROWN KELLNER LLP**

7 By: _____
8 Brian S. Kabateck, Esq.
9 Attorneys for Plaintiff ALFRED ALOISE

10 Dated: October 27, 2009

11 **DLA PIPER LLP**

12 By: _____
13 /S/
14 Matthew A. Holian
15 Attorney for Defendants PFIZER, INC., et al.

16 **ORDER**

17
18 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION, IT IS**
19 **SO ORDERED.**

20 Dated: OCT 29 2009

21 Honorable Charles R. Breyer
22 United States District Court